

VILLAGE OF WAUCONDA
ZONING BOARD OF APPEALS/PLAN COMMISSION
Meeting Minutes
March 16, 2011

CALL TO ORDER:

Chairman Steve Madsen called the meeting to order at 7:00 p.m., and Ernie Kosty led in the Pledge of Allegiance.

ATTENDANCE;

Roll Call was taken:

| | Present | Absent |
|------------------------|---------|--------|
| Rob Fosness | x | |
| Dave Jakubek | x | |
| Ernie Kosty | x | |
| Matthew Kurland | | x |
| Frank Lahrman | x | |
| Dave Wanshek | x | |
| Steve Madsen, Chairman | x | |

Village Staff and Consultants Present: Peter Karlovics, of the Law Office of Rudolph Magna Village Attorney, Joe Schwarz, Building Commissioner, Chris Miller of Rolf C. Campbell & Associates Village Planning and Zoning Consultants, Dave Geary, Director of Planning, Zoning and Public Works. Others Present: Approximately 18 others signed in as present for the meeting and scheduled public hearing.

APPROVAL OF MARCH 2, 2011 MINUTES:

Chairman Madsen asked the Members if there were any questions or concerns with the minutes as drafted.

A motion was made by Ernie Kosty and seconded by Dave Jakubek to approve the March 2, 2011 Minutes. There was no further discussion.

Roll call was taken:

| | Aye | Nay |
|------------------------|-----|-----|
| Rob Fosness | x | |
| Dave Jakubek | x | |
| Ernie Kosty | x | |
| Frank Lahrman | x | |
| Dave Wanshek | x | |
| Steve Madsen, Chairman | x | |

PUBLIC HEARING:

3112 Gilmer Road, GAM Venture, LLC, John Cargill Sole Member
Zoning Text Amendments
Rezoning of Property from R-4 to RSH with a Conditional Use Permit
Zoning Case #11-01

The public hearing was opened by Chairman Madsen.

Chairman Madsen requested that all present and interested in providing testimony be sworn in. Village Attorney Karlovics swore in all parties interested in providing testimony regarding the public hearings being held.

Chris Miller reported that the Village is in receipt of a required legal notice publication certificate and of neighbor notice cards. Mr. Miller also provided background information concerning the text amendments, rezoning and conditional use permit. He also reviewed the March 8, 2011 Rolf C. Campbell & Associates memorandum regarding the applications and noted that the property is subject to an Annexation Agreement which currently permits a 167-unit Townhome Development.

Petitioner's Testimony:

Richard Nakon, Attorney for the Petitioner provided an overview of the petitions including the Zoning Text Amendment application and the Zoning Map Amendment from R-4 to RSH and the Conditional Use Permit applications. Mr. Nakon introduced John Daly of CG Schmidt as the land developer.

John Daly introduced petitioner's witnesses including: Mike McCarthy of Parkside Management Services, LLC; Doug Buster of Bloodgood, Sharp and Buster (BSB) the project Architect; Terry Smith of BSB the project Land Planner; Ron Adams of Pearson Brown & Associates, Inc the project Engineer; and, John Cargill of GAM Venture LCC as the Property Owner. Mr. Daly also provided a hand out exhibit which corresponded to a Power Point Presentation and the slides each of the petitioner's witnesses would be presenting.

Mike McCarthy stated that his company would operate and manage the Senior Care Facility. Mr. McCarthy presented a number of Power Point Presentation slides including: "Seniors: A Growing Population"; "Primary Market Area Senior Populations"; "Retirement Housing Options"; "Benefits of A Move to a Retirement Community"; "Senior Living at Douglas Glen"; "Douglas Glen"; "Building Amenities"; "Characteristics of Independent Living Retirement communities"; "Independent Living at Douglas Glen"; "Independent Living Services Include:"; "Assisted Living at Douglas Glen"; "Assisted Living Services Include:"; "Memory Care at Douglas Glen"; "Parkside's Mission"; "Parkside's History" and "Parkside Management Services".

Chairman Madsen questioned whether the proposed project would be operated as a "For Profit" or "Non-For Profit" business. Mr. McCarthy indicated that the project will be operated as a "For Profit" business.

Doug Buster presented testimony on the building design and architectural character including preliminary floor plan designs. Mr. Buster stated that all independent living units would be rental units equal to "Class A" Market Rate apartments. He indicated that the Main Senior Building would include a one story center common area of approximately 25,000 square feet available for family gatherings and for resident common dining and entertainment. He stated that there would be two three story wings of independent living over parking. A total of 104 independent living units would be constructed with 59 in Phase I and 45 in Phase II. Mr. Buster stated that the independent living would include one bedroom units, one bedroom plus a den and two bedroom units. Mr. Buster stated that on the west side of the building there will be a three-story wing of assisted living units. He indicated that a total of 45 units are proposed with 33 units in Phase I and 12 units in Phase II and that the units would consist of one bedroom and two bedroom units. He stated that there will be a one story wing for memory care which would consist of 37 units and that all of the units would be one bedroom. He reviewed building heights, building scale and preliminary plans for building materials. Mr. Buster stated that around the perimeter of the site there would be 22 "Twin Villa" with each unit being in the size range of 1200 to 1500 square feet, and that each unit would include a one car garage. He stated that each Villa Unit would have various layouts to provide unique character consistent with a residential community.

Terry Smith presented testimony on the land plan, community entry monumentation, landscape plans and lighting plans. Mr. Smith described the single access and of the applicant's desire to work with Staff's suggestion that a second emergency access be provided. He described vehicle circulation around the Senior Building including an emergency (fire lane) access which was added to connect the two cul-de-sac driveways serving the project. He reviewed a potential future access easement to the vacant property located to the west. He reviewed parking being provided along with the concept of "banked parking", which identifies additional areas for parking during high need periods, if necessary. Mr. Smith reviewed Phase I and Phase II building and parking areas. He also reviewed the potential for a bike/pedestrian path to the Millennium Trail, and reviewed lighting plans for the project which

were compared to a “Dark Sky” approach to lighting. Lighting would be down lighting or special effect lighting on the proposed sign or on the building. Mr. Smith stated that the landscape plan includes areas of “Rain Gardens” and other native grass and native flower areas around the detention basins.

Plan Commission Members raised questions regarding lighting pole height, pedestrian circulation and the height of the native vegetation. Mr. Smith stated that the native vegetation would be a “low profile mix” which generally ranges from 3 feet to 4 feet in height; and, that the light pole height proposed reduced the need for additional light poles along the perimeter drive in order to achieve the desired amount of light on the drive and that the lighting would only reflect down to reduce glare. Mr. Smith stated that there exists over 1100 feet of sidewalks along the drive and around the building accessible to the residents. He also reviewed on-site amenities located overlooking the south wetland area. Mr. Smith also stated that Final Landscape Plans and Lighting Plans would be submitted at Final Plan review, which would include additional detail and clarification.

Ron Adams presented testimony on civil engineering including existing site conditions, preliminary engineering and preliminary plans for improvements to Gilmer Road. Mr. Adam’s presentation included describing proposed improvements for sanitary sewer, potable water, circulation, drainage and access. He stated that all improvements to the property would be private improvements installed consistent with Village requirements. He stated that adequate water and sanitary sewer facilities exist and are presently located on the east side of the property. He stated that water and sanitary sewer lines would be extended to the far west property line to allow for future growth of the Village. He also stated that the petitioner would cooperate with the Village to provide additional land in the northeast corner for an expanded water facility. Mr. Adam’s stated that a second access was not provided on the plan because access to Gilmer Road is controlled by the Lake County Department of Transportation and Lake County’s Highway Access Ordinance prohibits a second access unless owned and maintained by a Fire District or public body.

Plan Commission Members raised questions regarding a second access for emergencies, the amount of parking and size of parking spaces being proposed. It was stated by Mr. McCarthy that on a maximum shift change there will be 25 employees at the Senior Facility and that the amount of surface and garage spaces provided are sufficient to meet the facilities needs, except perhaps during special holidays or events planned by the facility. In cases of planned special events ‘valet parking’ would be used. Mr. Adam’s stated that the petitioner is willing to work with Village Staff and Lake County to provide a second emergency access point to Gilmer Road. Mr. Smith and Mr. Adam’s stated that the requested reduced parking space size of 9’ x 18’ is a standard many communities have adopted due to smaller vehicles and the desire to reduce the amount of pavement being placed on the land. Mr. Miller indicated that Village Staff supported this text amendment and recommended that the applicant request the text amendment which would be applicable Village wide rather than the applicant making a request for a zoning variance.

John Cargill provided testimony to community benefits. He indicated that it is desire to contract only with local workers. He stated that he has requested that local business owners be contacted to provide supplies and building material. Mr. Cargill also stated that he has been in contact with the College of Lake County to possibly use the Senior Facility as a training site and he stated that all of the Fire District concerns would be addressed.

Public and Other Comments:

Chairman Madsen opened the public hearing to other comments and public comment.

Craig Carroll asked several questions including whether there will be any on-site security? Where will loading occur and will it be screened? How often will trash pick-up occur? Mr. McCarthy stated that Staff within the building will serve as security and that there will be no outside roving vehicle security. Mr. Smith identified where loading will occur in the rear of the building and Mr. Buster noted that the loading area will be recessed and at basement level. Mr. Smith noted the area will also have plantings for screening in addition to the loading being

below grade. Mr. McCarthy stated trash will be stored indoors and is anticipated to be picked up several times per week.

There was no additional public comment and Chairman Madsen closed the public comment portion of the hearing.

Plan Commission Members raised additional questions regarding perimeter fencing and hours. Mr. Smith stated there will be no perimeter fencing. The only fencing proposed is associated with an outside garden area for Memory Care residents and where railings are needed. Mr. McCarthy describe the general hours when the building would be open and closed. He also indicated that Independent Living residents will have access to parking and their garage units at all times.

Motions:

Zoning Map Amendments

A motion to recommend approval of the four Zoning Text Amendments requested by the applicant as follows:

1. To amend Section 155.021 as follows: (Bold strikethrough = delete; bold double underline = addition)

155.021 Establishment of Zones (F) Residential Senior Housing (RSH). The RSH zone is established to provide a limited zone which shall restrict the use of property only to the construction of facilities for group living specifically and only for senior citizens. For purposes of this chapter, GROUP LIVING shall mean a specifically planned, designed and managed apartment house, with self-contained apartments, where supportive services, such as meals, housekeeping, transportation, social and recreational activities may be provided, and ~~no~~ continuous on site personal or medical care ~~is~~ **may be** provided **upon application and receipt of a Conditional Use Permit as provided in Section 155.042 and Section 155.095 of this code**. For purposes of this chapter, SENIOR CITIZEN shall mean any person over 55 years of age.

2. Adding to Section 155.022 the Permitted and Conditional Use Table "Senior Citizen Group Living within Multiple Buildings on a Zoning Lot in the RSH Zoning District as a Conditional Use.

3. Amending Section 155.047 (C) Size of Parking Spaces to permit parking space size to be 9'x18' versus 10'x20'

4. Adding to Section 155.047 (A) entitled "Number of Parking Spaces" to provide parking standards for Senior Housing and the types of Senior Housing proposed, and include a table of parking standards for Senior Group Housing, Independent Living, Assisted Living and Memory Care as contained in the Rolf C. Campbell & Associates memorandum dated March 8, 2011 was made by: Frank Lahrman and seconded by Dave Jakubek.
Roll Call:

| | Aye | Nay |
|------------------------|-----|-----|
| Rob Fosness | x | |
| Dave Jakubek | x | |
| Ernie Kosty | x | |
| Frank Lahrman | x | |
| Dave Wanshek | x | |
| Steve Madsen, Chairman | x | |

Zoning Map Amendment

A motion to recommend approval of the Zoning Map Amendment petition from R-4 to RSH, including a recommendation that the existing Annexation Agreement be reviewed by the Village Board prior to approval of the rezoning, was made by Ernie Kosty and seconded by Rob Fosness. Roll Call:

| | Aye | Nay |
|------------------------|-----|-----|
| Rob Fosness | x | |
| Dave Jakubek | x | |
| Ernie Kosty | x | |
| Frank Lahrman | x | |
| Dave Wanshek | x | |
| Steve Madsen, Chairman | x | |

Zoning Conditional Use Permit

Prior to a motion being made there was discussion as to whether Final Development Plans would be brought before the Plan Commission. After discussion a majority of the Members were not in favor of reviewing the Final Development Plans, but rather allow Staff to review along with the Village Board.

A motion to recommend approval of the Conditional Use Permit (CUP) petition with conditions, including a recommendation that the existing Annexation Agreement be reviewed by the Village Board prior to approval of the CUP, and that the property be developed in substantial compliance with the preliminary plans with a final development/site plan approved by the Staff and the Village Board, such final plan shall details regarding building placement, construction, landscaping, fire department access, lighting plan, parking plan and similar details was made by Dave Jakubek and seconded by Dave Wanshek. Roll Call:

| | Aye | Nay |
|------------------------|-----|-----|
| Rob Fosness | x | |
| Dave Jakubek | x | |
| Ernie Kosty | | x |
| Frank Lahrman | x | |
| Dave Wanshek | x | |
| Steve Madsen, Chairman | x | |

ANNOUCEMENTS:

Chris Miller noted that a Plan Commission Meeting is planned for April 6, 2011 to review the Findings of Fact and the written recommendation which will go to the Village Board. Also, there will be a Plan Commission workshop to discuss the Bicycle Plan and draft amendments to the Village Comprehensive Plan as they relate to incorporation of the Bicycle Plan into the Village Comprehensive Plan. .

ADJOURNMENT:

A motion to adjourn was made Ernie Kosty and seconded by Dave Jakubek. Motion carried.

Meeting was adjourned at 9:15 p.m.